

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

RANATA FRANK, on behalf of herself)	
and all others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:20-cv-597
)	
)	
THE CITY OF ST. LOUIS,)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiff Ranata Frank hereby moves the Court, pursuant to Rule 65 of the Federal Rules of Civil Procedure, for a temporary restraining order against Defendant City of St. Louis. Ms. Frank seeks a temporary restraining order enjoining the Defendant from conducting a sweep of homeless encampments along Market Street in downtown St. Louis and from forcibly removing individuals currently experiencing homelessness from sheltering safely in those encampments.

Ms. Frank lives at one of the homeless encampments located between 10th Street and 18th Street and between Market and Chestnut Streets. She previously lived in the Soulard neighborhood but moved to the Market Street encampments during the COVID-19 pandemic because food was being distributed there. She has been seeking housing since moving to St. Louis in November 2019 and has yet to locate an available shelter bed during the COVID-19 pandemic. She sought out a bed through service providers. She signed up for a hotel room through City officials who visited her encampment. Ms. Frank cannot find other housing. The Defendant is telling her she has to move immediately. Ms. Frank has nowhere else to go; she cannot locate alternative housing; and

she has tried to get a shelter bed through the Defendant. If Ms. Frank could go to shelter housing, she would.

As detailed in Plaintiff's accompanying Memorandum, if the Court does not issue a temporary restraining order, Plaintiff will be forcibly removed from the public park and left without a safe place to shelter in the middle of the COVID-19 pandemic under the threat of punishment or arrest. Plaintiff will likely prevail on the merits of her claims that Defendant's actions of sweeping the encampment and forcibly removing people by punishment or arrest is a violation of the Eighth Amendment. The threatened actions by the Defendant will injure Plaintiff disproportionately to any harm the Defendant would incur if she was allowed to stay safely sheltered-in-place. The requested injunction would also serve the public interest by controlling the spread of individuals throughout the community.

Pursuant to Rule 65(b)(1)(A) of the Federal Rules of Civil Procedure, Plaintiff submits a declaration with this motion attesting to the irreparable injuries she will suffer unless this Court issues a temporary restraining order.

Pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure, Plaintiff's counsel certifies that it provided notice of the motion via an April 30, 2020 telephone conversation with Julian Bush, City Counselor for Defendant City of St. Louis, and will also provide notice of this motion's filing by calling and emailing copies of all documents filed in this case to the City Counselor as well.

For the foregoing reasons, and as set forth in the accompanying Memorandum of Law, this Motion for a Temporary Restraining Order should be granted.

Dated: May 1, 2020

Respectfully submitted,

By: /s/ John Bonacorsi

ARCHCITY DEFENDERS, INC.

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